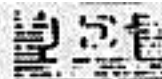


UNITED NATIONS
ECONOMIC
AND
SOCIAL COUNCIL



GENERAL
E/CH.4/SR.271
14 May 1952
ORIGINAL: ENGLISH

COMMISSION ON HUMAN RIGHTS

Eighth Session

SUMMARY RECORD OF THE TWO HUNDRED AND SEVENTY-VIETH MEETING

Held at Headquarters, New York,
on Monday, 23 April 1952, at 2.30 p.m.

CONTENTS:

Draft international covenants on human rights and measures of implementation: Part III of the draft covenant drawn up by the Commission at its seventh session (basic documentation as in E/CH.4/SR.263; E/CH.4/L.54/Rev.1, E/CH.4/L.55, E/CH.4/L.56/Rev.1/Corr.1, E/CH.4/L.65, E/CH.4/L.65/Rev.1, E/CH.4/L.69, E/CH.4/L.70, E/CH.4/L.71, E/CH.4/L.72) (continued)

<u>Chairman:</u>	Mr. MALIK	(Lebanon)
<u>Rapporteur:</u>	Mr. WHITLAM	Australia
<u>Members:</u>	Mr. NIJDT	Belgium
	Mr. SANTA CRUZ	Chile
	Mr. CHENG PACHAN	China
	AZMI Fay	Egypt
	Mr. GASSIN	France
	Mr. KIROU	Greece
	Mr. MENDEL	India
	Mr. AMKOUT	Lebanon
	Mr. LAFOND	Pakistan
	Mr. DOROSYIENKI	Poland
	Mr. HUSSEL	Sweden
	Mr. WVALENSO	Ukrainian Soviet Socialist Republic

<u>Members:</u> (cont'd)	Mr. DOROZOV	Union of Soviet Socialist Republics
	Mr. BOWNE	United Kingdom of Great Britain and Northern Ireland
	Mrs. ROOSEVELT)	United States of America
	Mr. SEMPLAKSI)	
	Mr. BRACCO	Uruguay
	Mr. JETREDOVIC	Yugoslavia
<u>Also present:</u>	Miss MALAS	Commission on the Status of Women
<u>Representative of a specialized agency:</u>	Mr. PLORE MO	International Labour Organisation (ILO)
<u>Representatives of non-governmental organizations:</u>		
	<u>Category A:</u>	
	Miss WEISS	International Confederation of Free Trade Unions (ICFTU)
	Miss KANEI	World Federation of Trade Unions (WFTU)
	<u>Category B:</u>	
	Mrs. VERGARA	Catholic International Union for Social Service
	Mr. HONKOWITZ	Consultative Council of Jewish Organizations
	Mrs. JORDAN	International Federation of Business and Professional Women
	Miss ROEB	International Federation of University Women
	Mrs. PARSONS	(Liaison Committee of Women's International Organizations
	Mr. JACOBY	(International Council of Women
	Mrs. POLSTEIN)	World Jewish Congress
	Mr. REILING)	World Union for Progressive Judaism
<u>Secretariat:</u>	Mr. HESPEY	Director, Division of Human Rights
	Mr. LEE)	Secretaries of the Commission
	Miss KITCHEN)	

/DRAFT

DRAFT INTERNATIONAL COVENANTS ON HUMAN RIGHTS AND MEASURES OF IMPLEMENTATION:
PART III OF THE DRAFT COVENANT DRAWN UP BY THE COMMISSION AT ITS SEVENTH SESSION.
(Basic documentation as in E/CH.4/SR.268; E/CH.4/L.54/Rev.1, E/CH.4/L.55,
E/CH.4/L.56/Rev.1/Corr.1, E/CH.4/L.65, E/CH.4/L.65/Rev.1, E/CH.4/L.69,
E/CH.4/L.70, E/CH.4/L.71, E/CH.4/L.72) (continued)

Mrs. ROCKWELL (United States of America) stated that on the basis of consultations it had held, the United States delegation wished to submit a revision of its draft resolution (E/CH.4/L.54), so that in the operative part paragraph 1 would read: "Each State Party hereto undertakes to take steps, individually and through international co-operation, to the maximum of its resources available for this purpose, with a view to achieving progressively the full realization of the rights recognized in this covenant by legislative or other means such as private action". The second paragraph of the original United States text would then be withdrawn and the third paragraph appearing in E/CH.4/L.54/Add.1 would be re-numbered and made the second paragraph of the revised United States proposal.*

She explained that the expression "maximum of its resources available for this purpose" represented an intentional change of the wording "maximum of their available resources", which appeared in the French proposal (E/CH.4/L.55, because in a legal instrument it should be clear that a State was not required to use all of its resources without exception but only the maximum which could be expended for a particular purpose without sacrificing essential services.

The CHAIRMAN expressed the view that the expression "maximum of their available resources" in the French proposal took account of the point raised by the United States representative and signified all available means over and above other requirements. Further qualification therefore seemed undesirable.

AMRI Bey (Egypt) said that the considerations just put forward by the Chairman had led him to submit an amendment to the United States revised text; his amendment would maintain the wording adopted by the Commission the preceding year. In this amendment (E/CH.4/L.56/Rev.1/Corr.1) he proposed the deletion of the words "for this purpose" so that the text would then read "to the maximum of its available resources".

/Mr. SANTA CRUZ

* The revised United States text was circulated later in the meeting as document E/CH.4/L.54/Rev.1.

Mr. SANTA CRUZ (Chile) stated that the Chilean Delegation had not altered its position of the preceding year, that a general clause other than article 1 of the present covenant, was unnecessary in the case of economic, social and cultural rights. Article 1 took account of the position of under-developed countries which were unable to afford full rights immediately and also provided for the case of States whose present legislation was inadequate by calling on them to take the necessary steps within a reasonable time. Thus implementation was ensured progressively and within a reasonable time. The French and United States draft proposal was too restricted, and he objected to the United States amendment referring to resources "available for this purpose" because States which made minute budgetary appropriations for the purpose could assert that they were complying with their obligations under the Covenant. The Chilean delegation would vote in favour of the Polish amendment (E/CN.4/L.65) which was consistent with its position of the preceding year.

If the Polish amendment was defeated, the Chilean Delegation, in an effort to liberalize other proposals, would circulate a series of amendments to the French proposal. The amended French text would then read as follows: "Without prejudice to such specific obligations as they may assume under the terms of the present Covenant in relation to particular rights, the States Parties undertake to take steps, individually and through international co-operation, by legislative or other measures, with a view to achieving the full realization of the rights recognized in the present Covenant."

He drew attention to the fact that in view of the Commission's decision to discuss a general article first, it was essential to include an opening clause making it clear that there was no prejudice to specific obligations assumed in relation to particular rights. His amendment also preserved the notion of implementation through international co-operation, of which he was in favour. It also called for deletion from the French proposal of the phrase "to the maximum of their available resources" and the word "progressively".

In the opinion of the Chilean delegation, the United States proposal was more restricted than the French and its provision for implementation would only lead to confusion because the covenant was to be applied and restricted by States not by private persons. In most cases while private action might play an important role at later stages, the initiative would have to come from the State.

/K.S. 1703E

* The Chilean text was circulated later in the meeting as E/CN.4/L.69.

Mrs. ROSSIL (Sweden) stated that her delegation had been in favour of the discussion of a general clause before the consideration of the other articles of the covenant on economic, social and cultural rights. She was gratified by the inclusion of article 1, paragraph 1, in the United States revised proposal but preferred the expression "the maximum of its available resources" which in her opinion provided the necessary limitation.

Mr. AZKUL (Lebanon) explained that he had taken part in the consultations with the United States representative in her attempt to satisfy the Egyptian representative in the matter of maximum available resources. The United States delegation seemed to fear that the word "available" to translate the French term "disponibles" might be interpreted to mean that all of a country's resources must be appropriated to the implementation of the rights guaranteed in the covenant under discussion. As there seemed to be general agreement on substance, the problem really involved drafting and might be resolved by an expression such as "to the maximum of the resources which may be used for the purpose". It seemed advisable to avoid use of the English word "available" which was open to possible misinterpretation. At the same time it must be made clear that the reference was to the real resources of the country and not to budgetary appropriations.

Referring to the statement by the representative of Chile, he said that Lebanon had sponsored a resolution in the General Assembly calling for strengthening of the covenant. It did not wish to do so, however, by sacrificing or weakening the rights guaranteed in the Covenant on political and civil rights. Inclusion of the expression "within a reasonable time" in both covenants might be dangerous because one involved rights which could be implemented immediately, while the other related to long-term programme rights. The use in the second covenant of the words "reasonable time" might unduly extend the meaning of those words in the first covenant.

He agreed with the representative of Chile that the deletion of "progressively" was desirable as that expression added nothing and might be interpreted as discouraging immediate implementation even in cases where such implementation was possible, because a State would be able to say it was only bound to implement the rights in the covenant progressively. Other provisions in the article gave sufficient protection to States which could not implement the rights immediately and must do so by stages. Admittedly obligations must
/be regarded

to be regarded realistically in the light of resources available.

He could not, however, agree to omitting the notion expressed in the words "to the maximum of their available resources". While it was essential to make the covenant as strong as possible, the Commission must face reality and should not ask States to assume obligations which they could not possibly fulfil.

Mr. CASSEIN (France) stated that in view of the difficulty of harmonizing the Polish amendment which was based on article 1 of the present covenant with the first paragraph of the French proposal, he would be unable to support the Polish amendment.

Referring to the Chilean amendment (E/CN.4/L.69), he asked whether it was intended to apply to the obligations contracted individually by States. He wondered what would be the position of obligations contracted under other international instruments. The French delegation, which favoured precise obligations and could not agree to any that were vague and undefined, wished to reserve its position on the Chilean amendment.

In his opinion, it was impossible to do away with limitations.

He was unable to understand the Lebanese position in favour of the deletion of "progressively", a qualification which the French delegation considered essential in a general text.

Although he had not yet seen the revised United States text, it was his impression that the term "for this purpose" considerably restricted the scope of the provision. The resources of a State should be interpreted broadly to include budgetary appropriations and also technical assistance, international co-operation and other elements. The expression "available resources" was sufficient because it meant that without exceeding the possibilities open to them, States must do their utmost to implement economic, social and cultural rights.

Tentatively the French delegation was inclined to maintain the basic original text with the addition of the second paragraph of the United States proposal (E/CN.4/L.54/Rev.1) which added a very important element.

Mr. SANTA CRUZ (Chile) stated that his amendment referred to specific obligations under the present covenant but added that it might be desirable to incorporate a reference to obligations of States under other international instruments, as suggested by the representative of France.

/The CHAIRMAN

The CHALGAL commented that paragraph 2 of article 18 and article 69 of the texts prepared by the Commission at its preceding session covered those points.

Mr. JEVSELOVIC (Yugoslavia) wished to present preliminary comments at that stage with regard to the obligations of States. He recalled that he had objected to the proposal to deal with the general clause first. The covenant on economic, social and cultural rights mentioned rights which differed in character one from the other. Certain economic, social and cultural rights could be guaranteed immediately while others could only be achieved progressively, such as housing rights. The obligations of States under each must therefore be different. Trade union rights, for example, could not be guaranteed progressively without leading to abuse but housing and other rights requiring long-range programmes must be implemented progressively. Therefore it was impossible to draft a general clause covering all the rights contemplated. The Chilean proposal for a reservation in the general clause regarding specific obligations assumed under the present covenant in relation to particular rights represented a possible solution of the problem and a method of avoiding abuse. If that was its interpretation, he would vote for it.

It must be recognized that States, particularly economically under-developed States, encountered difficulties in assuming obligations in connexion with economic rights. In the case of those rights, legislative action alone was inadequate and any type of action were needed. The obligations of States were of secondary importance; the primary element was human rights. He agreed with the representative of Chile that provision must be made for specific obligations but stressed that the Commission in referring to obligations of States was not concerned with the organization or the constitution of a State but merely with the guarantee of human rights by the State. The covenant would lay down the obligations; how that obligation would be fulfilled may vary from State to State.

Mr. KOKCELOV (Union of Soviet Socialist Republics) reserved the right to speak to the revised United States text again, after it had been circulated in writing. At the present stage he could only say that the revised text was no improvement on the original draft, and was in some respects more objectionable. The main real difference was that paragraphs 1 and 2 had been merged into a single paragraph; the concession made by accepting the Egyptian

/amendment

amendment was entirely illusory, because after the words "to the extent" the United States had immediately gone on to say "of its resources available for this purpose". The real meaning of that addition should be interpreted in the light of the United States budget, about three fourths of which were reserved for defense and barely one per cent for education. Thus, while the effect of the Egyptian amendment would have been to strengthen the text, the addition made by the United States delegation nullified it completely. The revised United States text, the purpose of which was clearly to provide excuses for States unwilling to assign adequate resources for the realization of the rights enumerated in the covenant, was more dangerous than the original text, because it sounded well until its real significance was probed.

It agreed with speakers who had objected to the word "progressively" as used in paragraph 1 of the United States text. It was obvious that if the rights recognized in the covenant were to be realized "progressively", the colonial Powers and States unwilling to grant their people the rights to which they were entitled could use that word as an excuse for progress so slow as to be imperceptible. That one word made the Commission's work meaningless; if it was allowed to remain, it would matter little how the remaining articles read, since in any case they would be doomed to be a dead letter.

Paragraph 2 of the revised United States text seemed at first glance unexceptionable, since it appeared to be a repetition of the non-discrimination clause in article 1, paragraph 1 of the covenant drawn up by the Commission at its seventh session. A careful comparison of the two texts would show, however, that whereas in the article in the present covenant each State undertook "to respect and to ensure to all individuals within its territory and subject to its jurisdiction" the rights recognized in the covenant, in the United States version each State merely recognized that these rights were to be enjoyed without distinction. The United States had taken the soul out of the article in an obvious desire to evade any obligation to ensure the enjoyment of the rights in question. The United States representative could easily prove his words by accepting the entire text of the article in the covenant; but he had little hope of that. Like paragraph 1 of the revised United States text, paragraph 2 was not an improvement over previously adopted texts, but rather an attempt to weaken them.

60

The Lebanese representative, who had opposed the word "progressively" in paragraph 1 of the United States text had also unaccountably objected to the words "within a reasonable time" in article 1, paragraph 1 of the covenant, reproduced in the Polish amendment (E/CN.4/L.65). Granted that those words represented a slight deficit in a text which was otherwise far superior to the United States proposal, a sincere critic would have proposed their deletion instead of refusing to accept the whole package, as the Lebanese representative had done. The Lebanese representative was, of course, free to change sides in the debate and to join the camp of the United States, the United Kingdom and France; but he had spoken as a partisan of a strong and effective covenant, and the effect of his intervention had therefore been to confuse the situation, and to give the impression that he had been seeking a pretext for rejecting a good text.

Mr. BEVCO (Uruguay) said that, in the view of his delegation, the great majority of economic and social rights should be specifically guaranteed by the State, mainly by means of legislation. It therefore felt that the first article of the covenant on economic and social rights should contain a general rule to the effect that the States Parties to the covenant guaranteed the realization of all the rights recognized in that instrument, and that any exceptions to that rule should be stated in the relevant articles.

As point 2 of the Polish amendment precisely met those views, he would vote for it. If, to his great regret, it were rejected, he would vote in favour of the Chilean amendments (E/CN.4/L.69) to the French proposal (E/CN.4/L.55), which would at least permit the inclusion of specific obligations in specific articles.

Mrs. MEHTA (India) remarked that the difficulty in making a reference to maximum available resources lay in that it was not clear who was to decide what the maximum was. In democratic countries, that decision was taken by representatives of the people, who apportioned expenditure. In totalitarian States and Non-Self-Governing Territories, however, the people -- the very people whom the covenant sought to protect -- had no voice in such matters. For her part, she would vote for the French proposal, trusting that democratic countries would abide by the spirit of the article and that in other territories the people would appeal to the United Nations if they felt that the maximum available resources were not drawn upon to permit the realization of the rights recognized in the covenant.

/Mr. ROQUE

Mr. HOWE (United Kingdom) said, in reply to the USSR representative, that the United Kingdom delegation had always opposed, and would continue to oppose, the inclusion of economic, social and cultural rights in the covenant on civil and political rights. The Commission was now, however, engaged in drawing up a separate covenant for the first group of rights, and while his delegation did not regard the project with great enthusiasm it would, as he had said at an earlier meeting, co-operate loyally in the drafting, while reserving its position on the covenant as a whole until it had a complete text before it.

He agreed with the Lebanese representative that the expression in the revised United States text, "to the maximum of its resources available for this purpose" presented at most a linguistic difficulty, and that no real difference of views was involved. Some such text as suggested by the Lebanese representative might meet the case. On the other hand, he failed to understand the Lebanese representative's objection to the word "progressively". Most of the articles in the present text dealing with economic, social and cultural rights showed the Commission's awareness that the content of such rights would be different in each country, depending on that country's stage of development, and that once a country, particularly an under-developed one, had realized those rights to the best of its ability, it was not to rest on its laurels but continue to effect further progress in the future. Words such as "continuous improvement" (article 24), "to improve" (article 25(b)), "progressively" (article 24(4)), and "development" (article 30) recurred throughout the text. Consequently, the French proposal quite properly spoke of "achieving progressively the full realization of the rights recognized in the present Covenant"; where the economic, social and cultural rights were concerned full realization could not be expected at once, but was a future goal. Since the whole covenant had been drafted with that idea in mind, the idea should be clearly reflected in the first article.

The Polish amendment substituting a new paragraph for paragraph 2 in the United States text was unacceptable. That passage had been drafted for the covenant on civil and political rights and had not even been considered by the Commission at its previous session when the articles on economic and social rights had been drafted; it could not be incorporated en bloc in the covenant on economic and social rights without considerable amendment. His delegation objected to paragraph 2 of article 1, which the Polish text reproduced even in relation to the covenant on civil and political rights where it was designed for a purpose quite different from that which it was not sought to give it. Paragraph 3 of the Polish amendment dealing with effective remedies would be altogether inappropriate, as it would clash with the idea of gradual improvement and progress; it was suitable for the covenant on civil and political rights, for which it had been devised, but meaningless in the present context.

/He therefore

He therefore urged the Commission to give up the attempt to adapt article 1 of the covenant drawn up at its seventh session to the needs of the covenant on economic and social rights with the exception of a clause on non-discrimination as re-phrased by the United States, and to adopt the French proposal, with its general statement, possibly writing in special guarantees in articles dealing with rights which could be realized at once.

Mr. AZKUL (Lebanon) recalled that his delegation had been one of the sponsors of the resolution, later adopted by the General Assembly, proposing two separate covenants. That step had been motivated by the fear that, if there were a single covenant, the articles on economic, social and cultural rights would appear in a very weak form, in order to enable most governments to accede to the covenant. The present position of the delegation of Lebanon, which was anxious to achieve the fullest possible realization of the economic, social and cultural rights, was the logical consequence of that stand.

In reply to the USSR representative, he said that he would move the deletion of the words "within a reasonable time" in the relevant article in the covenant on civil and political rights, since those rights could be easily implemented by States without delay. The inclusion of the same phrase in the article which the Commission was now preparing was altogether unacceptable, since it referred to some number of years, after the lapse of which States would presumably be entitled to make no further efforts to achieve economic and social progress. As the United Kingdom representative had pointed out, the whole idea of the covenant on economic and social rights was that progress in these fields must be continuous, and that in all States and at all times there would always be room for further improvement. He was sure that that was true of the USSR as well, notwithstanding that steps for the realization of those rights had already been carried out in that country.

He explained to the United Kingdom representative that the reason he supported the deletion of the word "progressively" in the proposed general article was that the word was superfluous -- precisely because the idea of progressive realization was implicit in the entire covenant -- and might provide an excuse for States which were unwilling to act as quickly as they were able in achieving the realization of rights to which effect could be given at once. The covenant was a legal text, and the possibility of bad faith must therefore be taken into account.

/His delegation

His delegation was anxious to draft as strong a covenant on economic and social rights as was possible in the present state of the world. That covenant would recognize rights whose content would differ greatly from country to country, depending on available resources, and it therefore could not impose absolute obligations on the States parties to it.

Mrs. ROOSEVELT (United States of America) said that the USSR representative had been mistaken about the proportion of the budget in her country devoted to education; education was paid for mainly by the states and cities rather than by the federal government.

She failed to see any danger in the use of the word "progressively"; it merely specified what was implicit in several of the draft articles, namely that some of the economic, social and cultural rights could not be enacted into law immediately. The political and civil rights might be immediately justiciable, but it would be wiser not to raise exaggerated hopes about the other rights. Thus, the Polish amendment could not properly be adapted to the draft covenant on the economic, social and cultural rights. That was why the United States text had abandoned the word "ensure" in favour of the word "enjoyed"; the latter more nearly expressed what was likely to occur, whereas "ensure" might be construed as implying that all the economic, social and cultural rights could be enforced immediately by legislation. The Polish amendment (E/CN.4/L.65) was not acceptable.

The Chilean amendment (E/CN.4/L.69) seemed to prejudge the issue by assuming that specific obligations would be written into the articles concerning particular rights. It might be wiser to wait until the articles were drafted and, if necessary embody in them any specific obligation that the Commission deemed fit. If the Chilean amendment was adopted, the Commission would have to spend a great deal of time discussing what specific obligation it wished to stipulate in connection with each article and then bring it into harmony with the general article.

Mr. BORATYNSKI (Poland) introduced a revised amendment (E/CN.4/L.65/Rev.1) to the revised United States amendment (E/CN.4/L.54/Rev.1). It was essential that the States Parties should undertake to ensure the rights recognized in the covenant. They should not merely passively recognize that the rights were to be enjoyed, as was stated in the United States draft amendment, but must take positive action and enforce those rights by legislative or other measures.

Mr. SANTA CRUZ (Chile) introduced revised amendments (E/CH.4/L.71, E/CH.4/L.72) to the revised United States draft amendment (E/CH.4/L.54/Rev.1) and asked that a separate vote should be taken on paragraph 2 of the United States amendment. It had been argued that the original Chilean amendment prejudged the issue; if that were true, it was the fault of the United States delegation which had insisted that the general clause should be drafted first. If the Commission finally decided not to include specific obligations in any of the articles, the opening phrase in the Chilean amendment to article 1, paragraph 1 would of course become unnecessary. The words "to the maximum of its resources available for this purpose" were not appropriate. The covenant was designed to ensure the minimum of rights inherent in the human person, and the State and the international community had an obligation to realize these rights fully by all possible means. Naturally, no State could be asked to employ resources which must be devoted to essential needs such as national defence or co-operation in repelling aggression, and the stage of economic and social development must always be borne in mind in assessing what resources were in fact available. No State could be blamed if it found it materially impossible immediately to enforce some of the rights stated, but, on the other hand, no State should be permitted to plead the lack of available resources as an excuse for the non-compliance with the provisions of the covenant. The inclusion of the phrase would weaken the article.

He could not agree with the Lebanese representative that the acceptance of the "within a reasonable time" in the draft covenant on economic, social and cultural rights would necessarilyaken the covenant on civil and political rights by the retention of the phrase in that covenant. There would be no reason for confusion, as it was obvious that some of the economic, social and cultural rights would need more time for their implementation than others.

The CHAIRMAN said that he had hoped that the French proposal (E/CH.4/L.55) might have been revised so become an amendment to the United States draft, as both appeared to derive from a common origin. The result of the voting on the texts before the Commission would be of the utmost

/importance

importance for the whole of the draft covenant, particularly as the French amendment would probably have to be withdrawn if the United States proposal, which must be put to the vote first, was adopted.

Mr. CASSIN (France) was prepared to withdraw his proposal and instead of pressing it, to submit a drafting amendment (E/CN.4/L.70) to paragraph 1 of the United States proposal and also to support the Egyptian amendment (E/CN.4/L.55/Rev.1) to that proposal.

The Chilean Delegation's wish for adequate safeguards could be met by the adoption of another French proposal (E/CN.4/L.67) which reproduced the substance of the original draft article 18, paragraph 2. The deletion of the reference to the maximum of available resources and of the word "progressively" would be unwise, as it might arouse hopes of the immediate enforcement of rights which in fact require many years for their full realization. There must be a clear distinction between those rights which could be enacted and enforced immediately and those which would require supplementary international conventions.

Mr. SANTA CRUZ (Chile) said that the French proposal based upon draft article 18 bore little relevance to the Chilean amendment. The Chilean delegation wished every article to include specific obligations; it was not concerned with supplementary conventions.

The CHINESE proposed that the time limit for the submission of further proposals and amendments relating to article 1 of the covenant on economic and social rights should be set at 10.30 a.m. on 29 April 1952.

It was so agreed.

Mr. SANTA CRUZ (Chile), speaking on a point of order, complained that the summary records of the Commission's debates were too concise and suggested that they should be drafted in a form similar to those of the

Economic and Social Council. In his opinion, they gave an inadequate account of the discussion on the drafting of covenants which were subjects of the utmost importance.

AMR Fay (Egypt) wholeheartedly supported the Chilean suggestion. He himself had been embarrassed by the consequences of the mutilation of some of his statements. Some of them had been completely misrepresented.

The CHIKWEN observed that, while some mistakes might be inevitable, representatives could always submit corrections in accordance with usual practice.

Mr. HEARE (United Kingdom) could see no reason why the records of the Commission on Human Rights should differ from those of other functional commissions. In his judgment, the summary records of the eighth session were as good as those of previous sessions; his own statements, with a few exceptions, had been adequately reproduced.

Mr. MROSOV (Union of Soviet Socialist Republics) said that the impression should not be given that the Commission was dissatisfied with the summary records. He thought, on the contrary, that they provided a faithful and accurate summary of the debates.

Mr. SANTA CRUZ (Chile) said that he was not complaining of the quality of the summary records but of their excessive conciseness. Summary records could be full or concise; there was no fixed rule. The Economic and Social Council had decided that its records should be as full as possible. He did not agree that the same method should be used for all commissions. The Commission on Human Rights, which was drafting a fundamental charter for those rights, must be regarded as more important than some of the technical commissions. The Chairman might ask the Secretary-General to see if the

Commission's records could not be drafted as fully as those of the Economic and Social Council. He appreciated the United Kingdom representative's implied fear of financial implications, but believed that fuller records could be drafted without additional cost to the United Nations.

The CHAIRMAN believed that the Commission wished him to convey to the Secretary-General its view that, while it appreciated the summary-record writers' work, it would be grateful if it were possible to have as full a record of its proceedings as that of the Economic and Social Council.

Mr. WHITLAI (Australia) doubted whether the Commission agreed with that view. His delegation had no wish that the Commission's records should differ from those of other commissions. They needed correction sometimes; that was not surprising in view of the difficulty of the subject matter under discussion. He would need to know the financial implications before he would agree to any change in method.

Mr. AZKOU (Lebanon) said that, while some quantitative changes might be desirable, within budgetary possibilities, no reflection should be cast on the quality of the summary records, which were at least as good as those of any other committee or commission.

The CHAIRMAN, noting that there was no consensus of opinion, suggested that the record of the discussion should be brought to the Secretary-General's attention.

Mr. HOARE (United Kingdom) said that he was glad to see that other representatives shared his apprehensions about the financial implications of any change in method. His delegation felt that the records were adequate and would be unwilling to place further burdens on the staff concerned.

Mr. SIMONIAN (United States of America) concurred in the tributes to the quality of the summary records. He could not see any need for fuller records, as his delegation, which scrutinized the records very closely, had not

/hitherto

hitherto noticed any instances of inadequate recording. Fuller records would require increased staff and more work. If there were any inadequacies, each instance should be brought before the Commission on its own merits.

Mr. SANTA CRUZ (Chile) did not agree with the United States representative. The records were more concise than those of the previous session and were, in his opinion, inadequate. His delegation was not, however, proposing that additional staff should be employed.

Mr. HUGHESBY (Secretariat) said that the Secretary-General would study the question and would consider whether, without adding new staff, the records could be drafted more fully, particularly when the wording of various articles was being discussed by the Commission.

The meeting rose at 5.50 p.m.